

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MONICA KIM,
Plaintiff,
v.
VIRUS GEEKS, INC.,
Defendant.

Case No. 23-cv-00178-NC

**ORDER TO SHOW CAUSE AS
TO WHY THIS CASE SHOULD
NOT BE ADMINISTRATIVELY
RELATED**

Re: ECF 1

Plaintiff Monica Kim filed suit against Defendant Virus Geeks, Inc. in the Superior Court of California, County of Monterey on December 13, 2022, alleging violations of the California Private Attorneys General Act. The complaint is numbered 22CV002336. Defendant removed the case to federal court on January 12, 2023.

Simultaneously, it appears Kim also filed a separate putative class action before the same state court, Case No. 22CV001485. As above, the complaint pertained to alleged employment violations by Defendant. Likewise, Defendant also removed this case to federal court on January 12, 2023.

Civil Local Rule 3-12 dictates “[a]n action is related to another when: (1) the actions concern substantially the same parties, property, transactions, or events; and (2) it appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges.” Pursuant to this

1 rule, if the Court believes a case is related to another, the Court “may order the parties to
2 file a motion” addressing whether the cases should be related. Civil L.R. 3-12(c).

3 Here, it appears from the complaints that the same parties are involved in each
4 respective case. Moreover, it is likely there would be an unnecessary duplication of labor
5 if both cases were to proceed on separate tracks. Therefore, the Court ORDERS the
6 parties to submit a response in opposition to or in support of relating the cases by February
7 17, 2023. Additionally, the parties must file their consent or declination form regarding
8 magistrate jurisdiction by February 17, 2023. A copy of the consent/declination form is
9 available [here](#).

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11 **IT IS SO ORDERED.**

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13 Dated: February 3, 2023

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16 NATHANAEL M. COUSINS
17 United States Magistrate Judge
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